

K Gracchus

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AN

APPEAL

TO

BRITONS.

By a Friend.

" I think it the duty of every citizen, whatever may be his station,
" to exert himself in procuring *every improvement of our form of*
" *government*, of which it is susceptible, and to assist in me-
" liorating the condition of the people to the utmost ; from which
" it follows, that I shall ever act most cordially and stedfastly
" with the Friends of Freedom."

SPEECH OF THE RIGHT HON. C. J. FOX, AT THE
WHIG CLUB, DEC. 4, 1793.

LONDON:

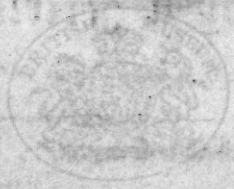
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APPEAL

TO THE
BRIEF



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AN

APPEAL.

LETTER I.

Countrymen and Fellow-Citizens,

PERSUADED that a numerous body of Britons are not thoroughly acquainted with the principles of our constitution, I have attempted to comprise, in a small compass, the substance of what so many are heard to extol, but few, comparatively, are able to define.

Our constitution is a common subject of exultation. If we praise any thing, whose beauty and excellence we are unable to point out, do we not thereby degrade our nature, and form ourselves into puppets or automatoms, apt to whatever gestures the director of the scenery may wish to exhibit?

I protest I have no view in making you this address, beyond a desire to communicate and disseminate that kind of information, which all who have the right of electing ought

to possess, and which all who may in time become electors ought to understand.

I regard it as a sublime truth, that the people themselves are the fountain from whence the *right of sovereignty* is derived. This nation has been long nurtured agreeably to this truth; and as our forefathers established, and we have approved, the present system of government, it remains for me, not to investigate the grounds of that approbation, but to notice that the distribution of authority into the three constituent parts, viz. King, Lords, and Commons, is a plan of government replete with more advantages than have been found in the generality of European states.

All forms of government are reducible to the three following :

Monarchical, in which the will of the sovereign disposes of every thing.

Aristocratical, whereby the sovereignty is lodged in the hands of a few individuals.

Democratical, when every member of society, admitted to give his suffrage, has a share in the government.

Much has been said by the advocates of each; but the general opinion of Britons is, that by having combined these different modes of ruling, we may expect to enjoy all the advantages, and at the same time avoid all the evils and inconveniences, to which each, separately considered, is extremely liable.

We find, for this purpose, the monarchical form existing in the King; the aristocratical, in the House of Lords, and the

the democratical, in the House of Commons ; which three, being concentrated in the legislative constitution of one state, serve as a mutual restraint upon each other : for should the prerogative of the crown ever be extended beyond its constitutional limits, both houses of parliament possess an unquestionable authority to check the innovation. Should the aristocratic body be disposed to extend their influence beyond what their portion in the share of government allows, the King and Commons have the means of prevention and redress ; and again, should the Commons be disposed to monopolize more than the law has assigned to that department, then the King and the House of Lords are two formidable barriers against all encroachment on the prerogative.

Such is the established government of Great Britain ;—a system, capable of greater perfection than it has yet discovered ;—a system, which also, if not duly studied and industriously preserved, may be the instrument of its own inevitable overthrow. He who possesses a jewel, may increase its value by careful polishing and preservation. Let Britons then study to improve their constitution, and carry it to the perfection of which it is capable ; for else, as “ rust consumes the hardness of iron,” so a speck, a blemish, a canker, in the British system of legislature, may in time not only tarnish its lustre, but render it either a despotic government, an arbitrary magistracy, or a tumultuous anarchy.

Suppose, for the sake of elucidation, that the Crown, by the power it possesses of creating nobles, should ever be able to attain an absolute authority over the House of Lords, the three component parts of the government would thereby be reduced to *two*, viz. King and Commons ; and if, at any future period, it should happen that the influence of the Peerage should be able to return a majority of members to

the House of Commons, the three estates would in reality be consolidated in *one*, and the crown would be tantamount to both the aristocratical and democratical departments in the legislature.

The legislative power of Great Britain belongs to the parliament; 'tis theirs to establish the laws of the realm, to abrogate, change, and explain them.

Parliament consists in the Commons, the Lords, and the King; for no act is to be carried into execution, which the two first have not approved, and the last confirmed by his royal assent.

The House of Commons consists of five hundred and thirteen representatives for England, and only forty-five for Scotland. Thus Great Britain appoints five hundred and fifty-eight deputies to defend the liberties of the people from any encroachment, which an unconstitutional king, or an unconstitutional aristocracy, might be inclined to attempt.— Upon a supposition (as we imagine) that the people, for their own sakes, would send no commissioners, whose patriotic sentiments they did not approve, the only qualifications requisite in law for being a member of the House of Commons are, the being born a subject of Great Britain, and the possessing 600*l.* per annum in landed property, to represent a county; or 300*l.* per annum in landed property, to represent a town or borough. Why this distinction, I am incompetent to determine, since no member, whencesoever he has received his commission, has any privilege of assent or dissent beyond his fellow-members.

It is the peculiar privilege of this house, that all bills for granting money begin here. It is for the Lords to consider such bills after they have passed this house; but they
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are not even allowed to make any alteration in them ; they must absolutely approve or disapprove in toto.

Except with respect to money-bills; any member in either house may make whatever motion he thinks proper. If the majority give it their affirmative, it is forwarded to the other house, who may, if they think fit, reject it ; by which a period is put to its further progress for that session : but should it pass through both houses, it is laid before the king, who by his assent establishes it into a law, or by his dissent annihilates it in its last stage.

The House of Peers is composed of the lords spiritual, who are the archbishops of Canterbury and York, and the twenty-four bishops ; together with the lords temporal, as dukes, marquisses, earls, &c.

The King is the third part of this parliamentary arrangement. The former may offer their sentiments on any subject that comes before them ; but the final stamp of authority, the great seal of the kingdom, remains in the hands of the king alone.

The prerogative power of the king consists in his being the supreme judicial power in the state, the judges being only his representatives. All prosecutions are carried on in the king's name ; an injury done to the subject, being considered as an offence to himself.

He has the power of pardoning offenders.

He is the fountain of honour ; he distributes titles and dignities ; he creates peers of the realm, and disposes of offices in the several courts.

He regulates weights and measures, and coins money.

He is the head of the church; he appoints archbishops and bishops, and can convene the assembly of the clergy.

He is commander in chief of all sea and land forces; he alone can levy troops, equip fleets, erect fortresses, and appoint their respective officers.*

He sends ambassadors to foreign courts, and receives those who are sent hither.

He contracts alliances, and declares war, or makes peace on such conditions as he thinks proper.

His power consists also in being able to convoke and prorogue the parliament, and at pleasure dissolve the house of commons.

To prorogue the parliament, is to dismiss them for an appointed time; during which their legislative capacities are suspended. To dissolve them, is to put an end to the commissions of the members of the house of commons.

* Although the right of levying troops, &c. belongs to the king alone, yet it rests with the commons alone to raise the necessary supplies for defraying the above expences.

Vid. 'De Lolme on the Constitution of England,' for an apt comparison on this head, as well as for a farther illustration of many parts of this subject.—“The royal prerogative (says he) destitute as it is
“of the power of imposing taxes, is like a vast body which cannot
“of itself accomplish its motions; or, if you will, it is like a ship
“completely equipped, but from which the parliament can at pleasure draw off the water, and leave it aground, or else set it again
“afloat by granting subsidies.”

They

They are, after such dissolution, no longer the deputies of the respective places for which they had been elected. The engagement between them and their constituents is then at an end, and a general election of representatives takes place previous to the next meeting of parliament. Therefore, if the electors of the nation are dissatisfied with the conduct of those whom they had formerly appointed, an opportunity now offers for the choice of others. If the former members are thought to have been deficient in political knowledge; insincere in their patriotic protestations; and, through ambition, avarice, or prejudice, capable of swerving from that integrity of soul, that noble and independent patriotic firmness of mind, which ought to distinguish the representatives of a free nation; the electors have at this time the power of renovating the house of commons, by a choice of deputies whose appointment may reflect honour to their constituents, and promote the welfare and happiness of the nation at large.

I am sorry to have had it in my power, to remark, that this important æra, however ardently desired before it arrives, is too frequently commemorated in a manner as disgraceful as it is pernicious.

The electors of Great Britain have frequently lamented that such destructive evils as bribery and corruption are known amongst them. But when they utter such complaints, their murmurings are usually directed against some member or members, whose integrity they think fit to question.

Remember, my friends, the sources of great rivers are in themselves but little streams; yet, when congregated into one body, their waters are mighty, their currents strong, and the inundations they frequently occasion are followed with calamitous effects.

Remember also, that the union of individuals, in the bonds of society, resembles the union of members in the human frame. If a dangerous poison has infected one of the latter, the blood may soon be contaminated, and the dissolution of the whole is to be apprehended. In like manner, if one or more individuals in the body politic are tainted by corruption, there is reason to apprehend that the spirit of the whole may imbibe the infection, and our boasted liberty cease to exist. Let us then seek to trace out the origin of the evils we lament. Let us forbear instructing our representatives in venal practices, by refusing our suffrages, except to those who will flatter our vanity, or gratify our avarice. I am persuaded, that in proportion to the increase of virtue amongst those who elect, we shall ever behold an increase of the number of worthy patriots in the elected body. We have a law to restrain bribery and corruption in the first instance, and if that be neglected, who can wonder to hear of its being practised in the second?

An instance occurred some time back, and, I doubt not, numerous instances of the like kind may be called to mind, which proves the inconsistency of many to be found amongst the electors of Great Britain.

A candidate solicited a vote, which he obtained the promise of, on condition that he would procure a place for the elector's son. The member in due time performed his promise, and thereby returned the obligation. Some time after, the representative accepted a place from the minister. The elector was enraged when he received the intelligence, and protested he would never give his *independent* vote again to a man that would receive any pecuniary emolument from the crown. "Where (said he) is our boasted liberty, if the persons we send to parliament are waiting only to
serve

serve themselves, instead of seeking to promote their country's good?"—What immaculate virtue! Worthy elector!

The little tricks that are played off at an election of members for parliament, are the causes of poignant grief to the true friends of liberty.—Money, liquor, ribbands, embraces, kisses, treats, and promises, are all current coin at an election. Madam is complimented, master and miss are dandled, and sir is cajoled.

For shame, Britons, desist!—What do you expect from the tolerance of such practices? If you thus sap the tree of liberty, can you expect it will ever flourish? If you trifle away your own privileges, Madmen and Fools are the appellations you ought to receive, for expecting a more virtuous attention to your concerns from those you nominate.

When I look to a large manufacturing town, where numbers subsist upon the will and disposition of manufacturers and merchants, there is great reason to apprehend, that instead of instructing them in political virtue, arduous pains are taken to cultivate the dangerous principle of self-interest, absolutely distinct from the consideration of public good,

Thus, if you can persuade a man, that an attachment to one party will be the means of promoting his advantage, securing his employment, obtaining some handsome present, or providing himself a profitable patronage,—his country's good is unheeded; the liberty, handed down to posterity by his ancestors, disregarded; and the inevitable abolition of all that a Briton may be proud of, is viewed by him only as an evil, whose hurtful consequences may be retarded beyond the time of his own contemptible existence. I not only believe, but I am convinced by innumerable proofs I have witnessed,

witnessed, that numbers of poor men, who have the right of electing, conceive the only good to be derived from the privilege of voting, is the emolument to be obtained by the iniquitous sale of their suffrages.

If a charge was ever justly brought against a minister for having seduced any members of the house of commons from the paths of rectitude, by places, pensions, &c. the members, so seduced, must have been equally culpable and criminal in the barter of their voices for the support of ministry. And for the same reason, if you the electors do not withstand every allurements held out to mislead your judgements, and corrupt your integrity, you yourselves are guilty of a political sin;—a crime, as dreadful as any that appears in the journals of the Old Bailey. The miscreants who trample upon the barriers of the laws for the protection of persons and property, principally injure the objects of their assault: but a Briton, who maims, murders, or countenances and encourages the murder of any British right, lays a foundation for the future ruin of his posterity. He sows oppression for his descendants misery. He prepares for himself the future curses of his own offspring. He destroys the fabric which his ancestors erected;—and barter the happiness of his country, the satisfaction of his own mind, and the inheritance of successive generations, for a trifling, mean, and pernicious gratification.

Whilst you oblige a candidate, for a seat in parliament, to expend his fortune to the injury of himself and family, in order to obtain your suffrages, how simple is it to expect that he will not seek to reimburse himself the first opportunity. If an unsuccessful candidate has solicited, in vain, to be the object of your choice, at the expence of his family timber, and again hazarding his property in the funds,

at

at length attains the summit of his wishes, can you delude yourselves with the ill-grounded conceit that he will act from those motives of disinterestedness which have had no influence on your own conduct. Give me the crystal stream of the elementary liquor, in preference to the choicest wines the candidate and his coadjutors are willing to furnish. The dry crust, with liberty, shall ever to me be more grateful than the richest viands of a party table.

Study, my countrymen, your own privileges, and the importance of preserving them. Let your wives and daughters understand the nature of the constitution they live under; and, by precept and example, instruct your sons, from their earliest years, to revere the birthright of Britons. Will any one object to the discontinuance of the practices herein reprobated,—let him *compassionate* the sufferings of Britannia, and *enquire into the causes of her complaints*, and she will answer him in the words of Nathan, “Thou art the man.”

Pausing for a few minutes, to reflect whether this address might be applied to many of those whose *feeling* souls mourn the corruption of the day, I am almost induced to lay aside the pen. To cleanse the Augean stable, was no arduous task, compared with the purification of the minds of those only who are the professed friends of liberty. Let British virtue again shine forth. Let Britannia glory in the untarnished lustre of her free-born sons.

How few are there, who are able to assign a reason for the vote they give. Is there no virtuous magistracy to restrain men, that they thus ignorantly practise the arts of bribery and corruption? Are there no public-spirited instructors, to draw aside the veil from *hood-winked* freemen?—Freemen only in name,—rational beings only by courtesy,—if a
favour

favour conferred, is to bind you to any party, without regard to truth and principles, wherein are you more free than the slaves of the most despotic empires? If gratitude consists in forfeiting every sentiment to the caprice of him who has once, or on many occasions, done me service, may I ever remain ungrateful in the eyes of mankind! The offices of humanity are due from one creature to another; and let *him* look well to himself, who refuses to discharge his duty, *without a sacrifice*, on the part of the supplicant, of what ought to be held more valuable than life itself. Even the avowed friends of liberty are too apt to apply to the passions of an elector, in order to secure his vote.

This, perhaps, is considered as the necessary mode of attack, in order to overthrow a party, who professedly avow the practice. Be it so; every action of the kind is destructive to the cause they wish to promote. Seek rather, ye sons of freedom, to rectify the judgements of those around you. Associate for the purpose of diffusing knowledge, and disclaim the unmanly and unconstitutional weapons which your opponents make use of. Be free yourselves; and let your servants, your dependants, as well as your relatives and friends, be free also.

The substance of the law, provided by the constitution itself, to prevent practices, alas! too common, is as follows:

“ That if any person gives, or promises to give, any money, employment, or reward, to any voter, in order to influence his vote, he, as well as the voter himself, shall be condemned to pay a fine of five hundred pounds, and for ever disqualified to vote and hold any office. Each offender may, however, exculpate himself, by discovering some other offender of the same kind.”

Every

Every lord of parliament, and lord-lieutenant of a county, are prohibited by law from interfering in the elections of members; and all officers of the excise, customs, &c. who shall presume to intermeddle in elections, by influencing any voter to give or with-hold his vote, shall forfeit one hundred pounds, and be disqualified to hold any office. And lest fear should induce the people to resign their freedom, no soldiers are permitted to remain nearer than two miles on the day of election at any place.

Such is the care with which our constitution has been formed, that I hope you will infer, from the hints I have thrown out, that much of the reform, so long talked of, is found to lie within the power of the people themselves to accomplish. Watch then, ye freemen, with a jealous eye, the liberties you possess; nor give occasion to your representatives to retaliate the charge of bribery and corruption, which many of you readily bring forward, perhaps justly, to accuse them.

With respect to the reform commonly alluded to, a reform of parliament, to be obtained by a majority of its *own* members, *how far may I with safety advance?* In the cause of liberty, I might invoke the departed spirits of Lord Russell, Algernon Sydney, and Dr. Price: but with respect to the reform in parliament, (if departed spirits have any influence) it may be sufficient to invoke the departed spirits of the d—e of R— and Mr. P—. So far as I have been able to understand the motives which influenced the convicts, Muir and Palmer, they were *such* as formerly occasioned the roof of the Thatched-house tavern to resound with plaudits. I profess myself incompetent to *judge* the *judges* of Scotland; but I conceive it to be more than probable that the example of some of the
present

present ministers may have been the occasion of exciting those *worthy men* to do what has brought upon them a grievous punishment. Have they acted unconstitutionally in the mode they adopted to obtain a reform? They are then the more entitled to our compassion: for their shepherds having fled, it is no wonder the sheep went astray. I am anxious to put the complaining part of the nation into a way they may venture to tread, without hazarding destruction from those man-traps and spring-guns, which the agents of associations, the spies, eve-droppers, and informers of the present day, have planted with all possible sagacity and cunning.

Were there, my countrymen, a majority of five hundred and fifty-eight such men as R. and P. once seemed to be, you would no longer call for a reform amongst the representatives of the people. Muir and Palmer undoubtedly entertained an exalted opinion of those honourable men ("for they are both honourable men") or never, surely, would they have embarked in a cause so pregnant with ruin. A reform in parliament was thought necessary when patriots and pretended patriots assembled at the Thatched-house Tavern; and if circumstances have not been materially altered since that period, the same necessity calls for similar redress at this time. Notwithstanding the *grounded* antipathy of the French nation to the name of king, I believe they would think our liberty *something more than a phantom*, were our house of commons in *reality*, as well as in name, the representatives of the people.

If a borough town be depopulated, in consequence of the mutability of human affairs, it certainly is not criminal, in the eyes of the solicitor-general himself, to wish that such places as are risen into importance by the increase of their population, should enjoy as much benefit from representation as the ancient walls of a deserted village.

Let,

Let, then, your representatives be instructed to support every motion in the house for this purpose. You can displace them at the end of their existence as members, if you disapprove their conduct; for although a septennial parliament almost sets the electors at defiance, yet even seven years must have an end; and when your own patriotism shall lead you to the choice of patriots, without subjecting them to the expence of distributing those favours, or rather *poisons*, which *gangrene* the cause of liberty, you will then find that no objection will be started against triennial or even annual parliaments by the lovers of their country.

Let us suppose the only case I imagine to be in point.— If a war be carrying on, it has been said, that much evil might result from the frequent change of members. *Far otherwise*; for the war, if approved by the nation, would be continued with fresh vigour; and if it met their disapprobation, what ministry ought to continue it? You have the liberty of petitioning for a reform in parliament, as well as against the continuance of a war; and if your own particular members are averse thereto, whatever their private motives, they cannot but *in mummery* be the representatives of *your wishes*. Let such petitions then be put into other hands, and, unless you are wretched for imaginary evils only, other *counties, cities, and towns*, will unite with you in soliciting for the object of your desire.

What ministry so hardy as to brave the voice of parliament? What minister and parliament, united, so stubborn as to withstand the universal cry for reform? I cannot think it possible you should be foiled in this mode of seeking redress: *it is a rising in a mass constitutionally*; and can any doubt be entertained, but that our gracious sovereign king George would rejoice in being surrounded by a virtuous ministry, an unexceptionable house of commons, and a happy people?

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I shall add no more *at present*, than that I earnestly hope you will study the British constitution, and sanguinely expect to see the day when your own lawful exertions shall have obtained the wished-for good,—a good, which, amongst other benefits, will in the end alleviate your burthens, by diminishing the number of sinecures, and ward off the increase of pensions, which may otherwise lengthen, ad infinitum, the pension-list.

With *love* for my country, with *respect* for the constitution, and *reverence* for its equitable laws,

I remain, your faithful fellow-citizen, &c.

GRACCHUS.

MARCH 31, 1794.

To be continued.



